

**FILED**

NOV 21 2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
IN THE DISTRICT COURT  
CLARKSBURG, WV 26301

IN THE MATTER OF: THE APPOINTMENT OF  
FULL-TIME UNITED STATES MAGISTRATE JUDGE  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Miscellaneous No. 1:07MC 62

O R D E R

The Judicial Conference of the United States authorized the appointment of a full-time United States Magistrate Judge for the Northern District of West Virginia at the Martinsburg point of holding court. It is the desire of this Court to consider the appointment of such magistrate judge to an eight-year term. The governing statutes and regulations require the appointment of a Merit Selection Panel to review applications for appointment and to make a report and recommendations to the district judges of this Court. Therefore, it is **ORDERED** that the following members of the bar and the public be and the same are **APPOINTED** as members of the Merit Selection Panel to consider the appointment of a full-time United States Magistrate Judge for the Northern District of West Virginia at the Martinsburg point of holding court:

John W. Cooper, Chair  
Barry P. Beck, Esquire  
David J. Romano, Esquire  
Susan S. Brewer, Esquire  
Cheryl D. Riley, Esquire  
Mr. James Linsenmeyer  
Mr. Gat Caperton

**IN THE MATTER OF: THE APPOINTMENT OF FULL-TIME  
MAGISTRATE JUDGE FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

1:07MC 62

The Clerk of Court is directed to send an authenticated copy of this Order and the accompanying Public Notice for the position to each member of the Merit Review Panel and to Mr. Thomas C. Hnatowski, Chief of the Magistrate Judges Division of the Administrative Office of the United States Courts, and is further directed to send an authenticated copy of this Order and accompanying Public Notice for the position to James C. Duff, Director of the Administrative Office of the United States Courts, and is further directed to send an authenticated copy of this Order and the accompanying Public Notice for the position to Samuel W. Phillips, Circuit Executive, United States Court of Appeals for the Fourth Circuit, and the Clerk of Court shall cause to be published the Notice in conformity with the Judicial Conference Regulations.

DATED: November 20, 2007

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE  
FOR THE COURT

UNITED STATES DISTRICT COURT  
for the  
NORTHERN DISTRICT OF WEST VIRGINIA

APPOINTMENT OF NEW MAGISTRATE JUDGE

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the Northern District of West Virginia in Martinsburg.

The duties of the position are demanding and wide-ranging, including the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

To be qualified for appointment an applicant must:

- (1) Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least 5 years (with some substitutes authorized);
- (2) Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness;
- (3) Be less than seventy years old; and
- (4) not be related to a judge of the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the district judges in confidence the five persons it considers best qualified. The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. An affirmative effort will be made to give due consideration to all qualified applicants, including women and members of minority groups. The current annual salary of the position is \$151,984. The term of office is eight years.

Application forms and more information on the magistrate judge position in this court may be obtained from the clerk of the district court or the chairperson of the selection panel. The chairperson is John W. Cooper, Attorney at Law, P.O. Box 365, Parsons, WV 26287. The form is also available on the court's Internet website at [www.wvnd.uscourts.gov](http://www.wvnd.uscourts.gov). Applications must be submitted only by applicants personally to the chairman of the committee and **must be**

**received by December 14, 2007.**

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential.